

Edn. & P. H. (1940) Department.

Ms. SERIES.

G.O. No. 2549

7

Dated 10-6-1940

[Despatch Abstract.]

Buildings - Rules - Hospital
municipality - Sri Kumbhara Bhimappa
Council's resolution granting permission
for erection - Notice to show
cause against - Issued.

1(a)

Municipal

DEPARTMENT.

Received

11 APR 1940

Registered

19

Subject.

15482

Building - construction of a hut - Kurubara Bhimappa - Hospet -
against building rules - orders - requested.

ENCLOSURES.

No. File of
24 pages
Spare copies.....

H.P No. 685/39

Station Hospet, Dated the 2nd April 19 40

From (Name) Sri. N. G. Reddy, B.A., (Cantab)

(Designation) Commissioner, Hospet Municipality,
Hospet.

To The Secretary to the Government of Madras,

Education and Public Health

Department.
Madras

Through

Sir,

The Chairman,
Municipal council,
Hospet.

One Kurubara Bhimappa has commenced the construction of a shed in the mill compound even without putting an application for licence. A notice was immediately issued to stop work and to show cause why action should not be taken vide page 1. The party replied to the notice saying that he was not aware that the licence is necessary and requested that the licence may be granted to him vide page 3. He has not submitted the application in the prescribed form with the required site plan and particulars as per the provision of the district Municipalities Act. The site was not approved for want of layout under section 175 of the ~~section 175 of the~~ District Municipalities Act and permission ~~was refused~~

For mailed
for mail
G. A. C.
Chairman, H.C.

SB

sought for was refused, and a copy of the order was communicated to the party in time vide page 5. In spite of notice to stop work he proceeded with the work and completed the construction of the shed. He was prosecuted for commencing the construction and was fined vide page 7. A provisional order was issued under section 216 (1) vide page 9 informing him that the shed was commenced and completed without licence from the commissioner and its continuance is ~~an~~ unlawful and unjustifiable and that it should be removed and he was asked to show cause why this provisional order should not be confirmed under section 216 (3) of the District Municipalities Act.

The party appealed to the council to grant him a licence vide page 13. The grounds of appeal are that the site where he has constructed is a private one and the shed has been in existence since 8 to 10 years and as it has become very old, it was rethatched completely.

The Health Officer reports that the shed has been put up recently. My main objection is the party or the owner of the site has not submitted a layout plan as per section 175 of the District Municipalities Act. In view of this it is difficult to control the construction of buildings and huts in this area.

P. 19 *infra* The Council in its resolution No. 1252/31-1-40 vide page 19, granted the permission. I request the Government to pass orders whether the council's resolution may be given effect to.

pages 21 & 23 *infra* The whole file of (24) pages along with site plan showing the position of the newly constructed shed marked C in relation to the existing sheds is herewith submitted and may be returned after done with.

EN/3-4.

E. S. H.
H. 40.

M. G. Rao
Commissioner. *G. H. Rao*

4.4.40.

Edn. & P.H. Department.

Read C.No. 15482 From the Commissioner
Hostel Municipality.
H.P. No. 685/39 dated 2.4.40
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Subject: - Buildings- Rules -
Hostel Municipality - Sri. Kurubara
Bhimappa - Relaxation.

Memo No. 15482-1-F-P.H. of 22.4.40.

, Referred to the D.T.P. for remarks.

To the D.T.P. (with the ct. in
original to be returned with reply)

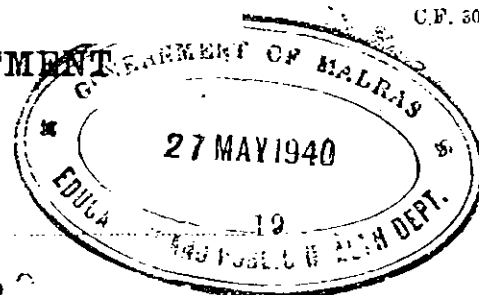
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Education & Public Health DEPARTMENT



Received 19 .. Registered

2183.

Subject.

Buildings - Rules - Hospet Municipality - Construction by Sri Kurubara Bhimappa - Relaxation.

ENCLOSURES.	
No.	
Spare copies	

DTP. No. 1266/40 ..

Station Madras, Dated the 25th May 1940. 19

From (Name) S. Ranganathan Esq., O.B.E., I.C.S., ...

(Designation) Ex-officio Director of Town Planning
Madras.

To The Secretary to the Government of Madras,

Education & Public Health Department.

Sir,

p. 25 ante

Ref: Govt. Memo. No. 15482-1 F P.H. dated 22nd April 1940.

Resubmitted.

2. The site for building lies in a large piece of land far away from any existing street, and no street or road has been laid down and made, giving access to the site of building and connecting with an existing public or private street as required under Section 175 of the D.M. Act. The construction itself ought to be refused under Section 212(4) of the D.M. Act as has been actually done by the Commission.

3. The Resolution of the Council granting permission

to

to the construction is contrary to the provisions of the Act and
may be cancelled by Government.

LB
8/25/75

R. M. Latham
for Ex-officio Director
of Town Planning.

-
S.C.25/5

C.F. 1a
E & P. H. Dept.

SUBJECT :—

When despatched.

CM

Buildings - Rules - Hostel
Municipality - Sri Thembara
Bhimappa - Council's resolution
granting permission - Cancellation
Notice to show cause against.
Issued.

READ AGAIN _____, dated _____ 19__ ✓

" " _____ "

19

READ ALSO :—

Page 1(a) C. No. 15482 From the Comm. Hospital, No. 685/39 dated 2-4-1940.
 & 1(b) of municipality

pgs 26-27 of " 21893 " D.T.P. " 1266/40 " 25-5-1940

Order Ms. No. 2549, dated 10.6.40 19

p 19 cf

In its resolution no. 1252 dated 31-1-40 the Hospet m. c. has granted permission to Sri Kumbhara Bhimappa to ~~prevent~~^{for} the retention of the shed unauthorisedly constructed by him in the 7th ward of the Hospet municipality. The site for the building lies in a large piece of land far away from any existing street and no street or road has been laid down and made, giving access to the site of the building and

connecting with an existing public or private street as required under section 175 of the M.D.M. Act, 1920.

NRJ
C/O 15782

The m.c. ought to have refused ~~to~~ permission to the construction under section 212(4) of the Act.

The Hospet m.c. has thus acted in excess of the powers vested in it by law in having passed the resolution aforesaid. It is hereby called upon, under the proviso to sub-clause (b) of clause (i) of sub-section (1) of section 36 of the M.D.M. Act, 1920, to show cause within a fortnight from the date of receipt of this order why its resolution no-1252 dated 31-1-40 should not be cancelled.

by
5.6.40
C. B. 1/6

SRV
7.6.40
S
R. 1/6

P 19 of

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Dpd	by t
R. 1/6	
Dpr's 1/6	
Date	193

To
The Honr. Hospet municipality through
The L. M. C. Hospet.
The D. T. P.
The L. M. C. of Bellary.

7-JUN 1940